

Notice of Allowability

Application No.

10/606,732

Examiner

Abolfazl Tabatabai

Applicant(s)

PELLEY ET AL.

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on October 9, 2007.
2. ☒ The allowed claim(s) is/are 1-17, 21, 23, 28-30, 32-34, 36 and 39-42 (now renumbered 1-30).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>8/24/07</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Drawings

1. The drawings were received on June 16, 2003. The Examiner accepts these drawings.

Reasons for Allowance

2. Applicant's amendment/argument (pages 15-19), filed on October 9, 2007, has been fully considered and are persuasive. As a result the art rejection of claims 1, 7-9, 13-15, 21, 23, 29-30, 32-34, 36 and 39-42 have been withdrawn. **Therefore, claims 1-17, 21, 23, 28-30, 32-34, 36 and 39-42 are allowable.**

3. The following is an Examiner's statement of reasons for allowance. The prior art of record fails to teach or suggest, data processing apparatus comprises (a) an impaired version of the material item from which a marked representation of the original material item can be formed if the impaired version of the material item were to be combined with the reduced- bandwidth-version including the code word, wherein the impaired version is formed by removing the reduced-bandwidth- version of the material item from a copy of the original material item in combination into other elements and features of claim 1; (b) an impaired version of the material item from which a marked representation of the original material item can be formed if the impaired version of the material item were to be combined with the reduced- bandwidth-version including the code word, wherein the impaired version is formed by removing the reduced-bandwidth- version of the material item from a copy of the original material item, a detecting data processor operable to detect with a predetermined false positive probability the

recipient by detecting the presence or absence of the code word in the material in combination into other elements and features of claim 28 and (c) forming an impaired version of the material item from which a marked representation of the original material item can be formed if the impaired version of the material item were to be combined with the reduced-bandwidth-version including the code word in combination into other elements and features of claims 29 and 41.

4. Claims 1-17, 21, 23, 28-30, 32-34, 36 and 39-42 (now renumbered 1-30) are allowed.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Citation of Relevant Prior Art

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yu et al (U. S. 6,529,551 B1) disclose data efficient quantization table for digital video signal processor.

Dieterich et al (U. S. 4,575,770) disclose video disc data systems for interactive applications.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to ABOLFAZL TABATABAI whose telephone number is (571) 272-7458.

The Examiner can normally be reached on Monday through Friday from 9:30 a.m. to 7:30 p.m. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Bhavesh Mehta, can be reached at (571) 272-7453. The fax phone number for organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abolfazl Tabatabai

Patent Examiner

Technology Division 2624

December 14, 2007

A-Tabatabai